



# Department of Toxic Substances Control

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HUNTERS POINT  
SSIC NO. 5090.3



Winston H. Hickox  
Agency Secretary  
California Environmental  
Protection Agency

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Gray Davis  
Governor

October 5, 2000

Commanding Officer  
Department of the Navy  
Naval Facilities Engineering Command  
Southwest Division  
1220 Pacific Highway  
San Diego, CA 92132-5190  
Attention: Richard Mach

## PARCEL B DRAFT FINAL LAND USE CONTROL IMPLEMENTATION PLAN HUNTERS POINT SHIPYARD, SAN FRANCISCO, CALIFORNIA

Dear Mr. Mach:

The Department of Toxic Substances Control (DTSC) has completed its review of the above-mentioned document. We would like to reiterate that the development of this document without the involvement of the City and County of San Francisco (the City) is of a major concern to us. We view the City, as the end user of this property, is an integral part of the remedy implementation involving land use control. We are pleased that the Navy is accepting public comments on this document and we are assuming the City will provide comments. We strongly recommend that the Navy taking the City's comments into consideration.

Our comments are provided as follows:

Page 1,

**Parcel B Anticipated Uses:** ...The categories of anticipated use include mixed use (which can include residential use), educational and cultural use, research and development and open spaces including the restoration of a wetland. ~~In evaluating the potential risk presented by contamination at Parcel B, the Navy with the Base Realignment and Closure ("BRAC") Cleanup Team ("BCT") considered exposure pathways ("unrestricted use scenario") for residents and others on the property that might present an unacceptable risk to human health.~~ In determining the potential exposure pathways, the BCT considered an unrestricted residential reuse scenario allowing homegrown produce for human

consumption. In evaluating the potential risk presented by residual contaminations remaining at Parcel B after remediation, the Navy with the Base Realignment and Closure ("BRAC") Cleanup Team ("BCT") considered exposure pathways ("unrestricted use scenario") for residents and others on the property that might present an unacceptable risk to human health without some kind of restrictions. Soils located ten (10) or less feet below ground surface ("bgs") would meet 10E-6 excess cancer risk (~~the most protective portion of the range of acceptable risk~~) and a hazard index of one (1) ~~or less~~ or Hunters Point Ambient Levels. Soils located at depths below 10 feet would pose unacceptable risk ~~only if they are~~ raised to the surface where residential exposures may occur. The BCT must select a remedial action for Parcel B that is protective of both human health and the environment. The Redevelopment Plan for Hunters Point Shipyard provides descriptions and reuse scenarios that help define the reasonably anticipated future land uses. The selected remedy in the Parcel B Record of Decision (ROD) and its subsequent Explanation of Significant Differences (ESD) is protective of site activities that are consistent with the reasonably anticipated future land uses.

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**Conditions Requiring Restrictions Through Institutional Controls:**

....However there is residual contamination in soils below ten feet and groundwater after final remediation and thus presents a potential risk from exposure to soils deeper than 10 feet bgs or water in the A-aquifer. Potential activities that could result in exposure include, but not limited to, well installation and/or excavation/ construction activities deeper than 10 feet bgs where such activities create complete exposure routes and bring receptors ~~into contact~~ into contact with the residual contamination at Parcel B. ~~Although the likelihood is low that these activities will create unacceptable risk to human health or the environment,~~ The conclusions presented in the Parcel B ROD and the reuse scenario proposed in the Redevelopment Plan indicate institutional controls are necessary to regulate these activities to limit the possibility and effects of any potential exposures arising from such activities or contact.

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**Groundwater Deed Restriction:** change the following sentence in the last paragraph to read as follows:

Dewatering activities for groundwater which accumulates on the surface of excavations shall be managed pursuant to a Groundwater Management

Plan approved by USEPA, DTSC and the RWQCB. All accumulated groundwater will be discharged in compliance with requirements for Publicly Owned Treatment Works or NPDES permits, and ~~or~~ disposed of in accordance with local, state and federal hazardous waste laws. Any dewatering activity which increases the migration of contaminants through groundwater is categorically prohibited.

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**Soil Deed Restriction:** change the last sentence for clarity to read as follows:

. Soil excavated at depths below ten (10) feet shall not be mixed with or placed in contact with any soil which is located at any depth from the surface of Parcel B to ~~from above~~ ten (10) feet below ~~to the surface of~~ Parcel B.

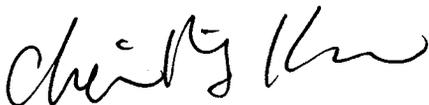
**Grantee's Obligation to Notify:** This paragraph should be modified as follows:

Grantee, its successors and assigns, as a condition of acceptance of the property, agrees to provide to all tenants and the subsequent owners of the property or any portion thereof the following written notification:

Portions of the storm drains underlying the property, as shown on attached Figure \_\_\_\_, which were lined as part of the remedial action shall not be altered without approval from USEPA, DTSC and RWQCB. Contamination may be present in the groundwater and in soils ten (10) feet below ground surface in remediated areas as specified in the remedial action close-out report. Land use controls exist on the property.

If you have any questions, Please contact me at (510) 540-3822.

Sincerely,



Chein Ping Kao, P.E.  
Senior Hazardous Substance Engineer  
Office of Military Facilities

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